

The Tumblr logo, consisting of the word "tumblr." in a bold, lowercase, sans-serif font. The letters are dark blue and have a slightly rounded, friendly appearance. The period at the end is a solid dot.

Transparency Report

July - December 2014

Introduction

Welcome to our July-December 2014 transparency report.

At Tumblr, we believe it's important to provide everyone — from occasional visitors to our most active community members—with an open, safe, and transparent platform for self-expression. Publishing this semi-annual report is one of the ways we reaffirm our commitment to that principle.

So every six months we publish a record of when, why, and how domestic and international government agencies asked us for user data, and how we responded to those requests.

We also use this space as an opportunity to discuss our policies on user notice, national security matters, and other issues that affect online privacy.

If this is the first of our transparency reports you've read, you might be interested in [previous editions](#). We kept the same categories and format so it should be pretty easy to compare.

We hope you find this report informative, useful, and enlightening. Or at the very least, free of typos. Enjoy.

Overview of All Requests for User Information, July to December 2014

From July to December 2014, we received 197 requests from state, federal, and international government agencies for account information from 269 Tumblr URLs. Below we highlight which government agencies issued these requests,¹ the nature of the requests,² and how we responded to them.

¹ To avoid jeopardizing ongoing investigations or public safety, we've grouped our numbers as follows:

- "Federal" includes requests from the Federal Bureau of Investigation, Department of Homeland Security, and Department of Justice.
- "State" includes requests from U.S.-based state and local law enforcement authorities (e.g. New York City Police Department).
- "International" includes requests from any foreign law enforcement authorities (e.g. investigators or prosecutors in Chile, France, India).

² See Appendix A for a more detailed explanation of the different types of legal process we receive from government agencies.

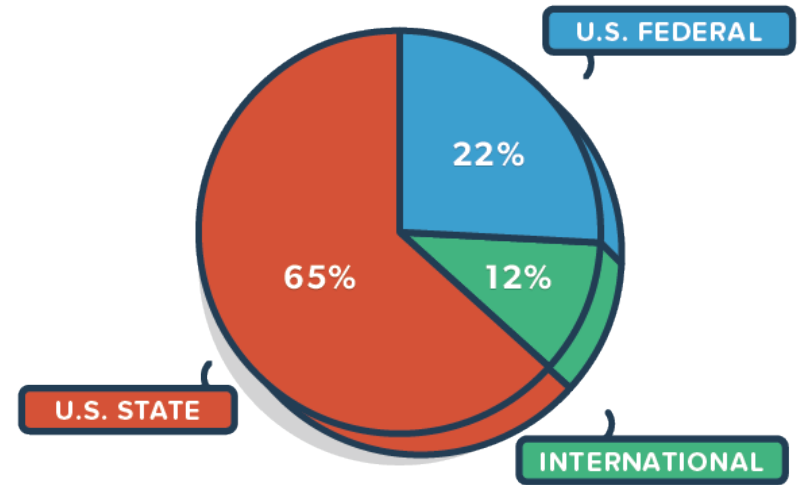
When reviewing the following charts, please keep in mind that:

- "Account data" includes registration email address, how long a Tumblr account has been registered, login IP address, and IP address used to make a post.
- "Blog content" refers to the media and caption of public or private posts, and any messages like Fan Mail.
- In cases when we produced blog content, we also produced account data. So the "Blog Content Produced" category is a small subset of the "Account Data Produced" category.

All Government Requests Received, July to December 2014

From July to December 2014, we provided either account data or blog content in response to 77% of all requests made. 200 blog URLs were affected, representing approximately 0.0000009% of all blogs on Tumblr.

Tumblr refused to produce anything at all in response to 23% of the requests for user information during this reporting period.

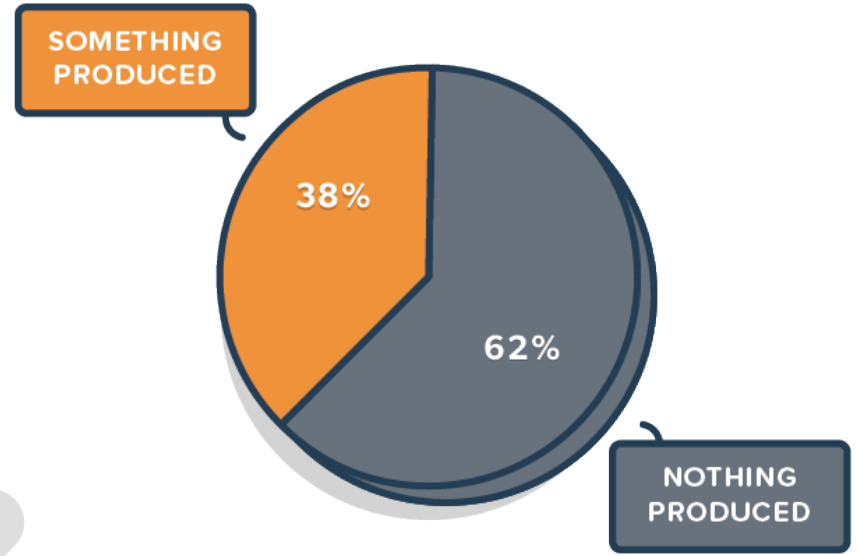


	# of Requests	# of URLs Affected	% of Total Requests	% Blog Content Produced	% Account Data Produced	Was Something Produced? (%)
Federal	44	83	22%	7%	82%	YES 82% NO
State	129	164	65%	43%	83%	YES 83% NO
International	24	22	12%	4%	38%	YES 38% NO
Total	197	269	100%	30%	77%	YES 77% NO

International Requests for User Information, July to December 2014

From July to December 2014, we received 24 requests for user information from 10 foreign countries.³ 22 blog URLs were affected. We produced account data in response to 38% of these requests. We produced blog content in response to 4% of these requests.

³ To avoid jeopardizing ongoing investigations or public safety, any countries that requested user data fewer than 3 times are reported as "< 3".

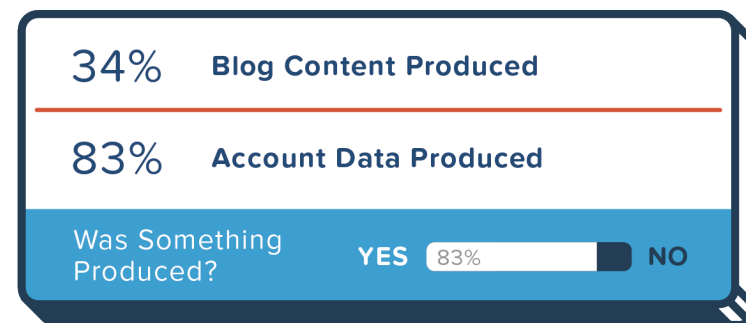


	# of Requests	# of URLs Affected	% Blog Content Produced	% Account Data Produced	Was Something Produced? (%)
Australia	3	3	0%	33%	YES 33% NO
Canada	<3	<3	0%	0%	NOPE
Chile	<3	<3	100%	100%	100%
Finland	<3	<3	0%	100%	100%
France	<3	<3	0%	0%	NOPE
Germany	5	5	0%	60%	YES 60% NO
Greece	<3	<3	0%	100%	100%
Mexico	<3	<3	0%	0%	NOPE
New Zealand	<3	<3	0%	100%	100%
United Kingdom	6	4	0%	0%	NOPE
TOTAL	24	22	4%	38%	YES 38% NO

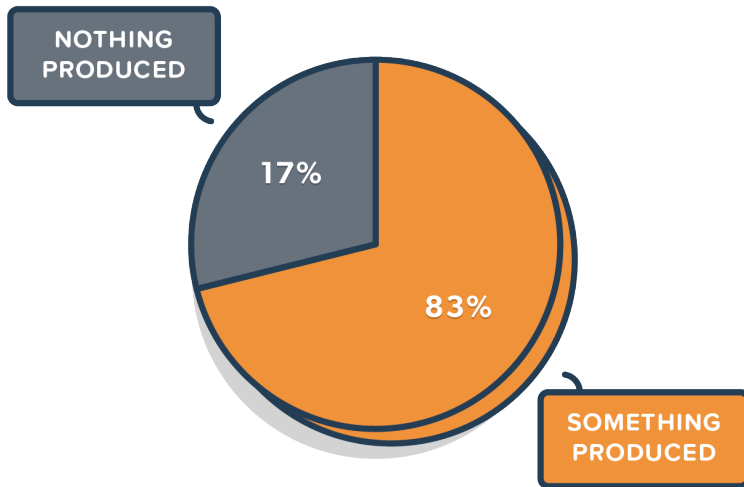
Domestic (U.S.) Requests for User Information, July to December 2014

From July to December 2014, we received 173 requests from U.S. federal and state authorities. 247 blogs were affected. We produced blog content in response to 34% of domestic requests, account data in response to 83% of domestic requests, and nothing at all in response to 17% of domestic requests. In cases where no content or data was produced, the requests may have been withdrawn, or were defective, or we may have objected to the requests on legal grounds.

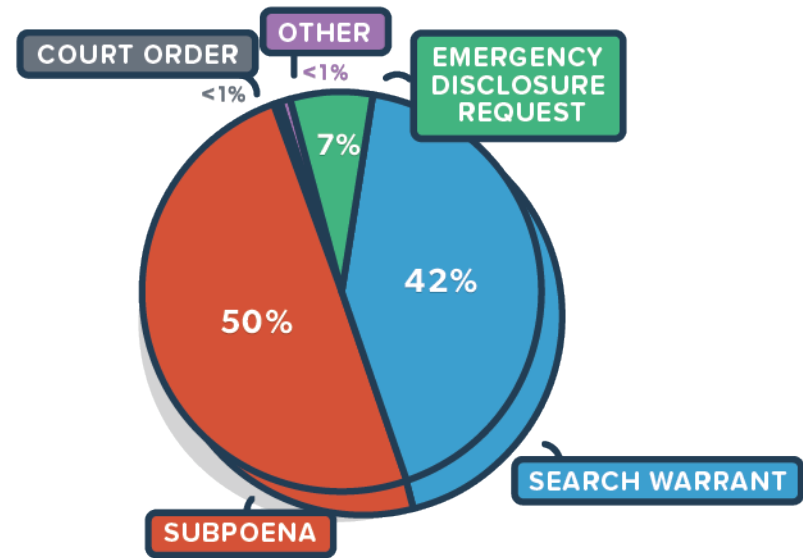
173	Requests Received
247	URLs Affected
12	Emergency Requests
73	Search Warrants
86	Subpoenas
1	Court Orders
1	Other Requests (e.g. email or fax requests)



Response to Domestic Legal Process



Type of Domestic Legal Process



Domestic (U.S.) Requests for User Information – State-By-State Analysis

From July to December 2014, we received 129 requests from state law enforcement authorities, covering 164 blog URLs. We produced blog content in response to 43% of domestic state requests, account data in response to 83% of domestic state requests, and nothing at all in response to 17% of domestic state requests.⁴

⁴ To avoid jeopardizing ongoing investigations or public safety, any U.S. states that requested user data fewer than three times are reported as "< 3".

	# of Requests	# of URLs Affected	% Blog Content Produced	% Account Data Produced	Was Something Produced? (%)
Alabama	< 3	< 3	0%	0%	NOPE
Arizona	3	3	67%	67%	YES 67% NO
Arkansas	< 3	< 3	0%	100%	100%
California	16	19	38%	69%	YES 69% NO
Delaware	< 3	< 3	0%	100%	100%
Florida	16	16	44%	75%	YES 75% NO
Georgia	< 3	10	50%	50%	YES 50% NO
Idaho	< 3	< 3	50%	100%	100%
Illinois	< 3	< 3	0%	100%	100%
Iowa	3	3	33%	100%	100%
Kansas	< 3	< 3	100%	100%	100%
Maine	< 3	< 3	100%	100%	100%
Maryland	5	4	20%	80%	YES 80% NO
Massachusetts	5	6	60%	100%	100%
Michigan	< 3	< 3	0%	0%	NOPE
Minnesota	3	4	33%	100%	100%
Missouri	4	6	50%	75%	YES 75% NO
Nevada	< 3	< 3	0%	100%	100%
New Hampshire	< 3	< 3	0%	100%	100%
New Jersey	8	9	13%	88%	YES 88% NO
New York	< 3	3	0%	50%	YES 50% NO
North Carolina	4	< 3	25%	50%	YES 50% NO
Ohio	< 3	< 3	0%	100%	100%
Oregon	3	3	33%	67%	YES 67% NO
Pennsylvania	< 3	< 3	0%	100%	100%
Rhode Island	< 3	< 3	100%	100%	100%
South Carolina	5	6	80%	100%	100%
South Dakota	< 3	< 3	100%	100%	100%
Tennessee	< 3	3	50%	100%	100%
Texas	13	24	62%	92%	YES 92% NO
Utah	3	3	33%	100%	100%
Virginia	9	14	56%	100%	100%
Washington	3	7	100%	100%	100%
West Virginia	< 3	< 3	0%	0%	NOPE
Wisconsin	< 3	< 3	100%	100%	100%
TOTAL	129	164	43%	83%	YES 83% NO

Tumblr's User Notice Policy

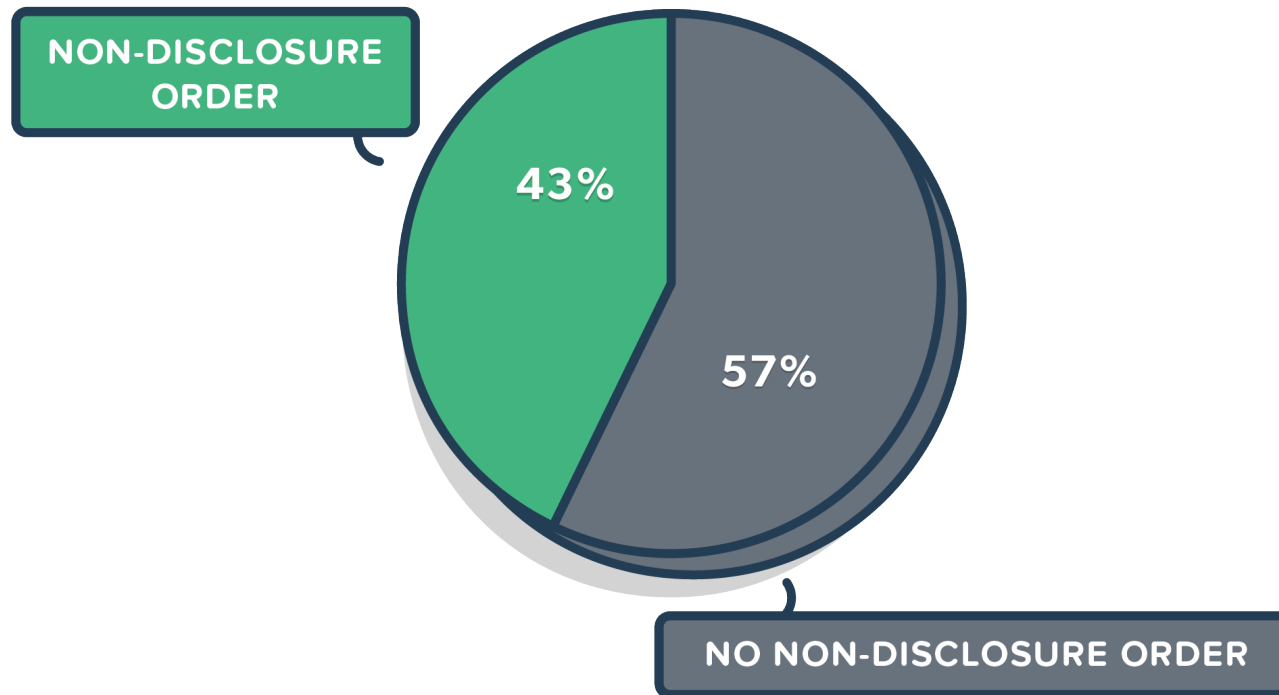
Our standard policy, as noted in previous transparency reports, is to notify users of any requests for their account information prior to disclosing it to the requesting agency. We do so in order to give the user an opportunity to challenge the request in court.

There are a handful of circumstances, however, when we delay any notice, specifically:

- When we're prohibited from doing so by a non-disclosure order.
- When we conclude, in conjunction with government officials, that the time required to provide notice might result in death or injury. For instance, when a user posts a credible suicide note and we are asked to disclose data that would help officials locate him or her so that they may provide immediate medical help.
- In cases that present a serious threat to public safety, such as imminent violent crimes or harm to minors. In such an event, we may delay notice 90+ days to give law enforcement reasonable time for their investigation. Ultimately, however, we will provide the user notice that their account has been targeted.

Non-Disclosure Orders

From July to December 2014, 43% of account information requests were accompanied by non-disclosure orders, meaning that a court legally prohibited us from notifying our users about the request.



User Notice by Category of Investigation

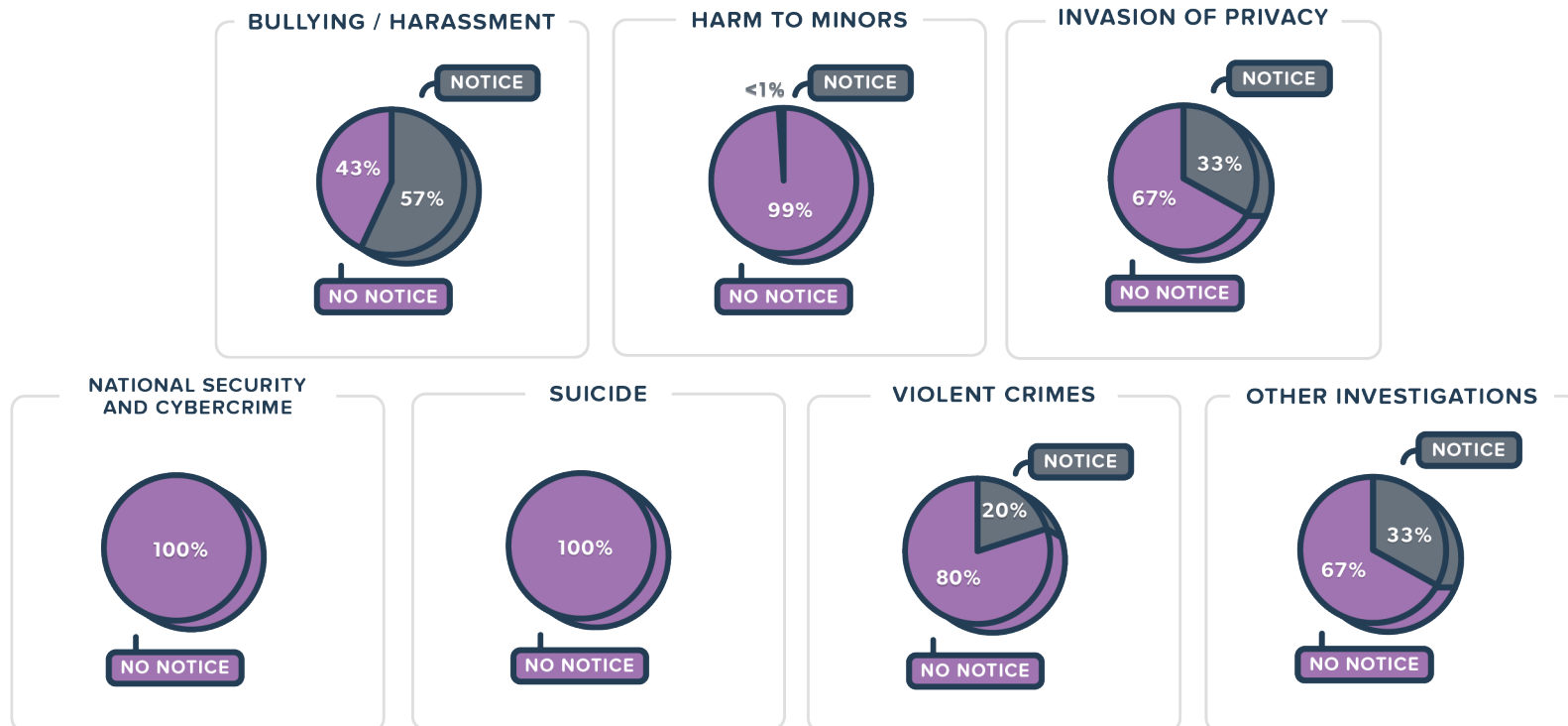
Below is our track record on providing prior user notice in cases when we complied, at least in part, with requests for user information,⁵ organized by category of investigation.⁶

⁵ Note that in some cases, we provide user notice after having complied with a government data request. Additionally, in previous reports we reported on an 8th user notice category: Fraud/Theft. To our knowledge, we did not receive any requests in that category this reporting period.

⁶ "Other Investigations" includes all requests in which the nature of the underlying criminal investigation was not clear based on the request.

As noted above, if users were not notified prior to account data disclosure, it was for at least one of the following reasons:

- The request was combined with a binding non-disclosure order;
- Notice was not practicable due to the threat of death or serious injury; or
- The case presented a serious threat to public safety.



National Security Issues

Revelations that the NSA and other intelligence agencies have been conducting electronic surveillance programs in the U.S. and abroad have sparked public interest in classified law enforcement actions. These requests, which are typically made on national security grounds, usually take the form of National Security Letters from the FBI, or classified orders from a FISA (Foreign Intelligence Surveillance Act) court. Though there may be times in the future when we are prohibited from disclosing any information, we will continue to be as transparent as possible.

As of the date of publication, we have never received a National Security Letter, FISA order, or other classified request for user information.

Possible Emerging Trends

Here are a few interesting trends we noticed when comparing our numbers from this period, July to December 2014, to those from our previous reports.

- Though the number of requests did not increase significantly, we saw a fairly large increase in blog URLs affected by the requests: 269 blog URLs for this 6-month period, compared to 233 blog URLs for the prior period.
- We received proportionally more requests from foreign law enforcement agents: 12% of all requests for this period, compared to 9% for the prior period.
- We received proportionally fewer “facially defective” domestic law enforcement requests (that is, not supported by any legal process): 0.58% of all requests for this period, compared to 5% for the prior period.
- In part due to the increase in foreign requests, we were required to provide account data in response to 77% of all requests for this period, compared to 84% for the prior period.
- On the user notice front, 43% of all requests for this period were combined with a non-disclosure order, compared to 37% for the prior period, and 29% for the year 2013.

While we leave it to the statistical wizards and policy wonks to draw (or not draw) broader conclusions from this data, and we emphasize that our sampling numbers are very small, we still thought these trends were worth highlighting.

We hope you found this report interesting and informative, and that you’ll check back in six months for our next transparency report.

Appendix A – Types of Legal Process

Subpoenas. Subpoenas are the most common requests we receive. They generally don't require a judge's review. Under U.S. law, we may disclose limited account data in response to a lawful subpoena. Account data includes registration email address, how long a Tumblr account has been registered, and login IP addresses. Account data does not include posts made to a blog, whether public or private. Because Tumblr does not collect real names or addresses, we don't (and can't) provide this information in response to a subpoena.

Court orders. Court orders for user data may be issued under various U.S. federal and state laws, such as section 2703(d) of the Electronic Communications Privacy Act, a federal privacy law. Court orders are issued by judges and are generally harder to obtain than subpoenas. If we receive a lawful 2703(d) order, we may disclose the same account data described above, plus an additional category of account data: the IP address used to make a particular post.

Search warrants. Search warrants may be issued if a reviewing judge or magistrate concludes that there is "probable cause" to believe that a particular account may contain information related to a crime. Search warrants are generally harder to obtain than 2703(d) orders or subpoenas. Under U.S. law, we may disclose the same account data described above, as well as blog content, in response to a lawful search warrant. Blog content includes the posts made to a blog, both public or private. Posts can be one of Tumblr's seven post types, including text, audio, images, or videos.